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Central Intelligence Agency



Washington, D.C. 20505

OLL 84-1885/1

25 May 1984

Mr. James M. Frey  
Assistant Director for Legislative Reference  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your request for the views of the Central Intelligence Agency (CIA) on the revised Office of Personnel Management (OPM) draft bill to amend 5 U.S.C. §8312 to provide that an individual may be denied a civil service or military annuity of the United States if convicted of specified types of felonies in connection with his employment. Because of the problems associated with classified information, the CIA objects to this draft bill unless it is further modified as detailed below.

In a letter to you dated 9 February 1984, we raised an initial objection over the OPM proposal -- that OPM not have jurisdiction over the CIA Retirement and Disability System (CIARDS). This objection has been rectified in the revised OPM proposal.

Since our earlier letter, it has come to our attention that the notice and hearing process contemplated in the amendment could threaten the disclosure of classified information in certain situations involving sensitive Agency equities. Further, in such cases the Director of Central Intelligence is best equipped to properly assess the equitable impact of this information. For these reasons, we believe it is necessary to include in the legislation the following section:

(f) The Director of Central Intelligence shall make any determination required under subsection (d) with respect to any annuities based on creditable service with the Central Intelligence Agency that involve activities deemed by the Director of Central Intelligence to be classified pursuant to Executive Order.

We appreciate the opportunity to comment on this important draft bill.

Sincerely,

[Signature Box]

Office of Legislative Liaison

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